



# COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

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Doug Domenech  
Secretary of Natural Resources

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Director

Maria R. Nold  
Regional Director

## Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Metro Machine Corp DBA General Dynamics NASSCO-Norfolk
Facility Name:	Metro Machine Corp
Facility Location:	200 Ligon Street Norfolk, Virginia 23501
Registration Number:	60134
Permit Number:	TRO-60134

This permit includes the following programs:

**Federally Enforceable Requirements - Clean Air Act (Pages 3 through 26)**

**State Only Enforceable Requirements (Page 26)**

February 1, 2013

Effective Date

January 31, 2018

Expiration Date

Maria R. Nold

Signature Date

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## **I. Facility Information**

### **Permittee**

Metro Machine Corp DBA  
General Dynamics NASSCO-Norfolk  
P.O. Box 1860  
Norfolk, Virginia 23501

### **Responsible Official**

Dave Baker  
General Manager

### **Facility**

Metro Machine Corp DBA  
General Dynamics NASSCO-Norfolk  
200 Ligon Street  
Norfolk, Virginia 23523

### **Contact Person**

Dawn Kriz  
Environmental Manager  
(757) 494-0413

**County-Plant Identification Number:** 51-710-00034

**Facility Description:** NAICS 336611 – Ship Building and Repairing

This facility is engaged in activities related to ship building and repair. These activities include abrasive blasting, applying marine coatings, electroplating, woodworking, paint mixing, and degreasing. The facility also includes boilers producing steam for use onboard vessels while docked, generators, compressors, fire pumps, cranes, portable welders, portable heaters and forklifts. Other processes include air conditioner maintenance, use of adhesives, storage tanks and containers, gasoline and diesel fuel loading pumps, and an oil/water separator and treatment system.

This facility is a major source of PM and HAPs. This source is located in an attainment area for all pollutants. The facility currently has three minor NSR permits: one was issued on August 1, 1984, and amended on April 23, 1986; another was issued on January 3, 1986; and the third was issued on June 26, 2002. The source is also subject to the Shipyard MACT, 40 CFR Part 63, Subpart II.

## II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	Pollutant Controlled	Applicable Permit Date
<b>Boiler Operations</b>						
1	1	Kewanee boiler H35-750-G02 (natural gas / No. 2 fuel oil) (1984)	32.0 mmBtu/hr	-----	-----	8/1/1984, amended 4/23/1986
2	2	Kewanee boiler H3S500-G (natural gas / No. 2 fuel oil) (1986)	20.9 mmBtu/hr	-----	-----	1/3/1986
<b>Internal Combustion Engines Operations</b>						
4	4	Caterpillar Model 35086 DITA, 8 cylinder, 4cycle, turbocharged, diesel generator (installed 2000)	1,087.8 HP	-----	-----	-----
98	98	#1 Caterpillar, Model D3516B, 16 cylinders, 4 cycle, turbocharged, diesel generator (2002)	2,514 HP	-----	-----	6/26/2002
99	99	#2 Caterpillar Model D3516B, 16 cylinders, 4 cycle, turbocharged, diesel generator (2002)	2,514 HP	-----	-----	6/26/2002
<b>Dry Dock Abrasive Blasting and Painting Operations</b>						
10	-----	Dry dock abrasive blasting of ship underwater hull and freeboard surfaces (constructed 1982)	1,000 square foot/hour (8 operators)	containment screens	PM/PM <sub>10</sub>	-----
21	-----	Pier side interior / top side hand roll / brush and airless spray painting (constructed 1971)	7 gallons/hour (2 painters)	containment screens when airless spray guns are used	PM/PM <sub>10</sub>	-----
22	-----	Outside machine shop hand roll / brush touch-up painting (constructed 1971)	3 gallons/hour (2 painters)	-----	-----	-----
23	-----	Paint shop priming – 60% hand roll / brush and 40% airless spray (constructed 1971)	7 gallons/hour (2 painters)	-----	-----	-----
28	-----	SPEEDE Dry dock painting (constructed 2002)	98 gallons/hour (16 painters)	containment screens when airless spray guns are used	PM/PM <sub>10</sub>	6/26/2002

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	Pollutant Controlled	Applicable Permit Date
<b>Degreaser Operations</b>						
24	-----	Maintenance shop degreaser (constructed 1990)	20 gallons	cover for degreaser and 15-second parts draining	VOC	-----
25	-----	Outside machine shop degreasers (2) (constructed 1990)	40 gallons, each	cover for degreaser and 15-second parts draining	VOC	-----
27	-----	Inside machine shop degreasers (2) (constructed 1990)	20 and 40 gallons	cover for degreaser and 15-second parts draining	VOC	-----

\*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

### III. Boiler Operations – (Units #1 and #2)

#### A. Limitations

1. **Boiler Operation Requirements - (Units #1 and #2) - Limitations** - The boilers shall consume no more than the following:  
**Unit #1** - 95,000,000 cubic feet of natural gas or 710,000 gallons of No. 2 fuel oil per year;  
**Unit #2** - 167 million cubic feet of natural gas or 1,200,000 gallons of No. 2 fuel oil per year;  
Fuel consumption shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.  
(9 VAC 5-80-110, Condition 4 of the 1/3/86 permit and Condition 4 of the 8/1/84 permit amended on 4/23/86)
2. **Boiler Operation Requirements - (Unit #1) - Limitations** - Emissions from the operation of the boiler shall not exceed the limitations specified below:

Particulate Matter	0.02 lb/mmBtu	0.5 lbs/hr	0.8 tons/yr
Sulfur Dioxide	0.6 lb/mmBtu	19.1 lbs/hr	30.2 tons/yr

  
(9 VAC 5-80-110 and Condition 5 of the 8/1/84 permit amended on 4/23/86)
3. **Boiler Operation Requirements - (Unit #2) - Limitations** - Emissions from the operation of the boiler shall not exceed the limitations specified below:

Particulate Matter	0.1 lb/mmBtu	0.4 lbs/hr	1.2 tons/yr
Sulfur Dioxide	0.6 lb/mmBtu	12.7 lbs/hr	42.6 tons/yr

  
(9 VAC 5-80-110 and Specific Condition 5 of the 1/3/86 permit)
4. **Boiler Operation Requirements - (Units #1 and #2) - Limitations** - The approved fuels for the boilers are natural gas and No. 2 fuel oil. No. 2 fuel oil may only be used in cases where gas curtailment has taken place, in a gas supply emergency and for periodic testing of No. 2 fuel oil. A change in the fuels may require a permit to modify and operate.  
(9 VAC 5-80-110 and Condition 6 of the 8/1/84 permit amended on 4/23/86 and Condition 6 of the 1/3/86 permit)
5. **Boiler Operation Requirements - (Units #1 and #2) - Limitations** - Visible Emissions from each of the boiler stacks shall not exceed 20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30% opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-50-80 and 9 VAC 5-80-110)

## **B. Monitoring**

6. **Boiler Operation Requirements - (Units #1 and #2) – Monitoring** - The permittee shall perform a monthly visual emissions observation on each boiler stack during normal operations. If such visual observation indicates any visible emissions, the permittee shall take corrective actions to eliminate the visible emissions. If such corrective action fails to eliminate visible emissions, the permittee shall conduct a visible emissions evaluation (VEE) using 40 CFR Part 60, Appendix A, Method 9 for six minutes. If the six-minute VEE opacity average exceeds 10% opacity, the VEE for that unit shall continue for an additional 12 minutes. If any of the six-minute averages during the 18 minutes exceeds 20% opacity limit, the VEE for that unit shall continue for one hour from initiation on the stack to determine compliance with the opacity limit. The permittee shall record the details of the visual emissions observations, VEE, and any corrective actions. The records shall be kept at the facility and made available for inspection by the DEQ for the most recent five (5) year period.  
(9 VAC 5-80-110)

## **C. Recordkeeping**

7. **Boiler Operation Requirements - (Units #1 and #2) - Recordkeeping** -The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, TRO Regional Office. These records shall include, but are not limited to:
  - a. The annual throughput of natural gas (in million cubic feet) and No. 2 fuel oil (in 1000 gallons) for the boilers (Units #1 and #2) which shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
  - b. Records of visual emissions observations, visible emissions evaluations, and any corrective action taken.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent (5) years.

(9 VAC 5-50-50 and 9 VAC 5-80-110)

#### IV. Generator Operation Requirements – (Units #4, #98, and #99)

##### A. Limitations

8. **Generator Operation Requirements - (Units #4, #98 and #99) - Limitations** - Each generator shall not operate more than 500 hours per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.  
(9 VAC 5-80-110 and Condition 5 of the 6/26/02 permit)
9. **Generator Operation Requirements - (Units #4, #98 and #99) - Limitations** - The approved fuel for the generators is diesel fuel. A change in the fuel may require a permit to modify and operate.  
(9 VAC 5-80-110 and Condition 6 of the 6/26/02 permit)
10. **Generator Operation Requirements - (Units #4, #98 and #99) - Limitations** - The diesel fuel shall meet the specifications below:  
  
DIESEL FUEL which meets the ASTM specifications for numbers 1 or 2 fuel oil  
Maximum sulfur content per shipment: 0.05%  
(9 VAC 5-80-110 and Condition 7 of the 6/26/02 permit)
11. **Generator Operation Requirements - (Units #98 and #99) - Limitations** - Emissions from the operation of the dry dock generators shall not exceed the limits specified below:
- |                                       | <u>Each</u> | <u>Combined</u> |
|---------------------------------------|-------------|-----------------|
| Particulate Matter                    | 1.8 lbs/hr  | 0.9 ton/yr      |
| PM-10                                 | 1.5 lbs/hr  | 0.7 ton/yr      |
| Sulfur Dioxide                        | 1.0 lbs/hr  | 0.5 ton/yr      |
| Nitrogen Oxides (as NO <sub>2</sub> ) | 60.3 lbs/hr | 30.2 tons/yr    |
| Carbon Monoxide                       | 13.8 lbs/hr | 7.0 tons/yr     |
| Volatile Organic Compounds            | 1.6 lbs/hr  | 0.8 ton/y       |
- These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 8, 9, 10 and 12.  
(9 VAC 5-80-110 and Condition 9 of the 6/26/02 permit)
12. **Generator Operation Requirements - (Units #4, #98 and #99) - Limitations** - Visible Emissions from the each of the generator stacks shall not exceed 20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30% opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-50-80 and 9 VAC 5-80-110)



13. **Generator Operation Requirements - (Units #4, #98 and #99) - Limitations** - Except where this permit is more restrictive than the applicable requirement, the generators (Units #4, #98 and #99) shall be operated in compliance with the requirements of 40 CFR 63, Subpart ZZZZ, specifically, 40 CFR 63.6640(f)(2).
- a. You may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer, the vendor, or the insurance company associated with the engine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary RICE in emergency situations and for routine testing and maintenance.
  - b. You may operate your emergency stationary RICE for an additional 50 hours per year in non-emergency situations. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

**Note:** All applicable requirements of 40 CFR 63, Subpart ZZZZ **may not** be specifically listed in this permit. The permittee should refer to the applicable regulation for additional requirements not included in this permit.

(9 VAC 5-80-1180, 9 VAC 5-60-90 and 9 VAC 5-60-100)

## **B. Monitoring**

14. **Generator Operation Requirements – (Units #4, #98 and #99) - Monitoring** - The permittee shall perform an annual visual emissions observation on each generator stack during normal operations. If such visual observation indicates any visible emissions, the permittee shall take corrective actions to eliminate the visible emissions. If such corrective action fails to eliminate visible emissions, the permittee shall conduct a visible emissions evaluation (VEE) using 40 CFR Part 60, Appendix A, Method 9 for six minutes. If the six-minute VEE opacity average exceeds 10% opacity, the VEE for that unit shall continue for an additional 12 minutes. If any of the six-minute averages during the 18 minutes exceeds 20% opacity limit, the VEE for that unit shall continue for one hour from initiation on the stack to determine compliance with the opacity limit. The permittee shall record the details of the visual emissions observations, VEE, and any corrective actions. The records shall be kept at the facility and made available for inspection by the DEQ for the most recent five (5) year period.  
(9 VAC 5-80-110)
15. **Generator Operation Requirements – (Units #4, #98 and #99) - Monitoring** - The permittee shall obtain a certification from the fuel supplier with each shipment of diesel fuel. Each fuel supplier certification shall include the following:
- a. The name of the fuel supplier;
  - b. The date on which the diesel fuel was received;
  - c. The volume of diesel fuel delivered in the shipment;
  - d. A statement that the diesel fuel complies with the American Society for Testing and Materials specifications for numbers 1 or 2 fuel oil; and,
  - e. The sulfur content of the diesel fuel.

(9 VAC 5-80-110 and Condition 8 of the 6/26/02 permit)

### **C. Recordkeeping**

16. **Generator Operation Requirements – (Units #4, #98 and #99) - Recordkeeping** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, TRO Regional Office. These records shall include, but are not limited to:
- a. Annual hours of operation for each generator, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months;
  - b. All fuel supplier certifications; and
  - c. Records of visual emissions observations, visible emissions evaluations, and any corrective action taken.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-80-110 and Condition 11 of the 6/26/02 permit)

## **V. Dry Dock Abrasive Blasting and Painting Operations (Units #10, #21, #22, #23 and #28)**

### **A. Limitations**

17. **Dry Dock Abrasive Blasting and Painting Operations (Units #10, #21, #23 and #28) - Limitations-**  
The permittee shall establish, implement, and submit a written policy and procedure for outdoor abrasive blasting and spray painting.  
(9 VAC 5-80-110)
18. **Dry Dock Abrasive Blasting and Painting Operations (Units #10, #21, #23 and #28) - Limitations-**  
The permittee shall take reasonable precautions to prevent particulate matter from becoming airborne during outdoor abrasive blasting and spray painting operations . To minimize visible emissions and fugitive emissions, the permittee shall:
  - a. Install wind direction and wind speed instruments convenient to central shipyard outdoor abrasive blasting and spray painting operations.
  - b. Minimize or, if necessary, terminate outdoor abrasive blasting operations or spray painting operations if wind direction and speed are such that the fugitive particulate matter from such activities would be transported to adjacent property or waterways.
  - c. Terminate abrasive blasting or spray painting operations if the wind speed exceeds a sustained 25 mph unless effective containment methods are used or the wind direction is such that adjacent property and waterways are not impacted.
  - d. Use adequate containment methods, such as curtains, shrouds or tarp enclosures, where possible and practical, and locate the operations to minimize particulate matter from being transported to adjacent property or waterways.
  - e. Use airless spray equipment and spray in a horizontal to down pattern to the maximum extent possible and practicable.  
(9 VAC 5-40-20 E, 9 VAC 5-40-90, and 9 VAC 5-80-110)
19. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Limitations-**  
VOC/VOHAP emissions from the painting operations shall be controlled by utilizing compliant coatings.  
(9 VAC 5-80-110 and Condition 3 of the 6/26/02 permit)
20. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Limitations-**  
Each shipbuilding and ship repair operation is to be operated in compliance with the general provisions of 40 CFR Part 63, Subpart A as specified in Table 1 of 40 CFR Part 63, Subpart II.  
(9 VAC 5-80-110, 40 CFR 63.780, and Condition 12 of the 6/26/02 permit)
21. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Limitations-**  
The provisions of 40 CFR Part 63 Subpart II do not apply to “low-usage exempt” coatings used in volumes of less than 52.8 gallons per year for each coating, and 264 gallons per year of all such coatings. Coatings exempt under this condition shall be clearly labeled as “low-usage exempt”.  
(9 VAC 5-80-110, 40 CFR 63.781(b), and Condition 13 of the 6/26/02 permit)

22. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Limitations-**  
The provisions of 40 CFR Part 63, Subpart A pertaining to startups, shutdowns, and malfunctions, and continuous monitoring do not apply unless an add-on control system is used to comply with 40 CFR Part 63, Subpart II.  
(9 VAC 5-80-110, 40 CFR 63.781(d), and Condition 14 of the 6/26/02 permit)
23. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Limitations-**  
The permittee shall not cause or allow the application of any coating to a ship with an as-applied Volatile Organic Hazardous Air Pollutant (VOHAP) content exceeding the applicable limit given in Table 2 of 40 CFR Part 63 Subpart II.  
(9 VAC 5-80-110, 40 CFR 63.783(a), and Condition 15 of the 6/26/02 permit)
24. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Limitations-**  
The permittee shall ensure that:
- All handling and transfer of VOHAP-containing materials to and from containers, tanks, vats, drums, and piping systems is conducted in a manner that minimizes spills.
  - All containers, tanks, vats, drums, and piping systems are free of cracks, holes, and other defects, and remain closed unless materials are being added to or removed from them.
- (9 VAC 5-80-110, 40 CFR 63.783(b), and Condition 16 of the 6/26/02 permit)
25. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Limitations-**  
Emissions from the painting operation for Emission Unit #28 only shall not exceed the limits specified below:
- |                                 |              |
|---------------------------------|--------------|
| Volatile Organic Compounds      | 97.0 tons/yr |
| VOHAPs (Individual or Combined) | 97.0 tons/yr |
- Compliance with these emission limits may be determined as stated in Condition number C.1 of this section.  
(9 VAC 5-80-110 and Condition 22 of the 6/26/02 permit)

## **B. Monitoring**

26. **Dry Dock Abrasive Blasting and Painting Operations (Units #10, #21, #23 and #28) - Monitoring-**  
Quarterly, when in operation, the exhaust from the outdoor abrasive blasting and painting operations shall be observed by the permittee at the property line (waterline) for a period of not less than three minutes for the presence of visible emissions in accordance with EPA Method 22. If visible emissions are observed, the permittee shall perform corrective actions to eliminate the cause of the visible emissions. The permittee shall maintain a log of the date, time, location, name of person performing the observation, whether or not visible emissions were detected, and any corrective actions taken, if necessary. These records shall be available for inspection by the Department and shall be current for the most recent five years.  
(9 VAC 5-80-110)
27. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Monitoring-**  
For each batch of coating that is received, the permittee shall:
- Determine the coating category and the applicable VOHAP limit as specified in 40 CFR 63.783(a).
  - Certify the as-supplied VOC content of the batch of coating.
- (9 VAC 5-80-110, 40 CFR 63.785(a), and Condition 17 of the 6/26/02 permit)

28. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Monitoring-**  
In lieu of testing each batch of coating, as applied, the permittee may determine compliance with the VOHAP limits using any combination of the procedures described in 40 CFR 63.785(c)(1), (c)(2), (c)(3), and (c)(4). The procedure used for each coating shall be determined and documented prior to application.  
(9 VAC 5-80-110, 40 CFR 63.785(b)(1), and Condition 18 of the 6/26/02 permit)
29. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Monitoring-**  
The results of any compliance demonstration using Method 24 shall take precedence over the results using the procedures in 40 CFR 63.785(c)(1), (c)(2), or (c)(3).  
(9 VAC 5-80-110, 40 CFR 63.785(b)(2), and Condition 19 of the 6/26/02 permit)
30. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Monitoring-**  
The results of any compliance demonstration conducted using an approved test method to determine VOHAP content shall take precedence over the results using the procedures in 40 CFR 63.785(c)(4).  
(9 VAC 5-80-110, 40 CFR 63.785(b)(3), and Condition 20 of the 6/26/02 permit)

#### **C. Recordkeeping, and Reporting**

31. **Dry Dock Abrasive Blasting and Painting Operations (Units #10, #21, #22, #23 and #28) - Recordkeeping** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Tidewater Regional Office. These records shall include but are not limited to:
  - a. Monthly and annual emissions calculations to verify compliance with the VOC, individual, and total HAP emission limitations in Condition A.25. The annual emissions shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
  - b. Records of wind speed and direction; and
  - c. Logs of visible emission checks.  
(9 VAC 5-80-110 and Condition 24 of the 6/26/02 permit)
32. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Recordkeeping** - For each compliance procedure used (40 CFR 63.785(c)(1), (2), (3), and (4)), the permittee shall maintain records to demonstrate compliance with the chosen procedure.  
(9 VAC 5-80-110, 40 CFR 63.785(c), and Condition 21 of the 6/26/02 permit)
33. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Recordkeeping and Reporting** - The permittee shall comply with the applicable recordkeeping and reporting requirements in 40 CFR 63.10(a), (b), (d), and (f). Any owner that received approval pursuant to 40 CFR 63.783(c) to use an add-on control system to control coating emissions shall also comply with the applicable requirements of 40 CFR 63.10(c) and (e).  
(9 VAC 5-80-110, 40 CFR 63.788(a), and Condition 25 of the 6/26/02 permit)

34. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Recordkeeping** - Each owner or operator of a major source shipbuilding or ship repair facility having surface coating operations with less than 264 gallons annual marine coating usage shall record the total volume of coating applied at the source to ships. Such records shall be compiled monthly and maintained for a minimum of 5 years.  
(9 VAC 5-80-110, 40 CFR 63.788(b)(1), and Condition 26 of the 6/26/02 permit)
35. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Recordkeeping** - Each owner or operator of an affected source shall compile records on a monthly basis and maintain those records for a minimum of 5 years. At a minimum, these records shall include:
- a. All documentation supporting initial notification;
  - b. A copy of the affected source's implementation plan;
  - c. The volume of each low-usage-exempt coating applied;
  - d. Identification of the coatings used, their appropriate coating categories, and the applicable VOHAP limit;
  - e. Certification of the as-supplied VOC content of each batch of coating;
  - f. A determination of whether containers meet the standards as described in 40 CFR 63.783(b)(2);
  - g. The results of any Method 24 of Appendix A or 40 CFR Part 60 or approved VOHAP measurement test conducted on individual containers of coating, as applied; and,
  - h. Any additional information, as determined by the compliance procedure(s) described in 40 CFR 63.785(c) that the permittee followed.
- (9 VAC 5-80-110, 40 CFR 63.788(b)(2), 40 CFR 63.788(b)(3), and Condition 24 of the 6/26/02 permit)
36. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Recordkeeping** - If the permittee detects a violation of the standard specified in 40 CFR 63.783, the owner or operator shall, for the remainder of the reporting period during which the violation(s) occurred, include the information listed in 40 CFR 63.788(b)(4) in the facility records.  
(9 VAC 5-80-110, 40 CFR 63.788(b)(4), and Condition 27 of the 6/26/02 permit)
37. **Dry Dock Abrasive Blasting and Painting Operations (Units #21, #22, #23 and #28) - Reporting** - Before the 60<sup>th</sup> day following completion of each 6-month period after the compliance date specified in 40 CFR 63.784, the permittee shall submit a report for each of the previous 6 months. The report shall include all of the information that must be retained pursuant to paragraphs (b)(2) through (3) of 40 CFR 63.788, except for that specified in paragraphs (b)(2)(i) through (ii), (b)(2)(v), (b)(3)(i)(A), (b)(3)(ii)(A), and (b)(3)(iii)(A). If a violation is detected, the source shall also report the information specified in paragraph (b)(4) of 40 CFR 63.788 for the reporting period during which the violation(s) occurred. To the extent possible, the report shall be organized according to the compliance procedure(s) followed each month by the affected source.  
(9 VAC 5-80-110, 40 CFR 63.788(c), and Condition 28 of the 6/26/02 permit)

## **VI. Degreaser Operation Requirements (Units #24, #25, and #27)**

### **A. Limitations**

38. **Degreaser Operation Requirements (Units #24, #25, and #27) – Limitations** - Vapor control is required for each cold cleaner to remove, destroy, or prevent the discharge into the atmosphere of at least 85% by weight of volatile organic compound emissions. Achievement of the 85% vapor control shall be done by the following:
- a. Covers or enclosed remote reservoirs;
  - b. Drainage facilities to collect and return solvent to a closed container or a solvent cleaning machine;
  - c. A permanent label, summarizing the operating procedures in 9 VAC 5-40-3290 C.2.a-c on/near the cold cleaning unit(s);
  - d. If used, the solvent spray should be a solid, fluid stream (not a fine, atomized or shower type spray) and at a pressure which does not cause excessive splashing.
- (9 VAC 5-80-110, 9 VAC 5-40-3280 C.1 & 2, and 9 VAC 5-40-3290.C.1.a-d)
39. **Degreaser Operation Requirements (Units #24, #25, and #27) – Limitations** - The following operating procedures for the cold cleaning units shall be followed:
- a. Waste solvent should not be disposed of or transferred to another party, such that greater than 20% of the waste (by weight) can evaporate to the atmosphere. Waste solvent shall be stored in closed containers only.
  - b. The cold cleaning unit cover should be closed whenever not handling parts in the cold cleaner.
  - c. Cleaned parts should drain for at least 15 seconds or until dripping ceases.
- (9 VAC 5-80-110, 9 VAC 5-40-3280 C.1 & 2, and 9 VAC 5-40-3290.C.2.a-c)
40. **Degreaser Operation Requirements (Units #24, #25, and #27) – Limitations** - Disposal of waste solvent from the cold cleaning units shall be done by one of the following:
- a. Reclamation (either by outside services or in-house); or
  - b. Incineration.
- (9 VAC 5-80-110, 9 VAC 5-40-3280 C.1 & 2, and 9 VAC 5-40-3290.D)
41. **Degreaser Operation Requirements (Units #24, #25, and #27) – Limitations** - At all times, the disposal of volatile organic compounds shall be accomplished by taking measures, to the extent practicable, consistent with air pollution control practices for minimizing emissions. Volatile organic compounds shall not be intentionally spilled, discarded in sewers which are not connected to a treatment plant, or stored in open containers or handled in any other manner that would result in evaporation beyond that consistent with air pollution control practices for minimizing emissions.
- (9 VAC 5-50-20 F and 9 VAC 5-80-110)

### **B. Monitoring**

42. **Degreaser Operation Requirements (Units #24, #25, and #27) – Monitoring** - Each degreasing unit will be inspected once per calendar year to ensure that the label with the operating procedures is placed on or near each degreasing unit.
- (9 VAC 5-80-110 E)

43. **Degreaser Operation Requirements (Units #24, #25, and #27) – Monitoring** - Each degreasing unit will be inspected once per calendar year to ensure that each has a cover or enclosed remote reservoir, and waste solvent from each unit is stored in closed containers.  
(9 VAC 5-80-110 E)

#### **C. Recordkeeping**

44. **Degreaser Operation Requirements (Units #24, #25, and #27) – Recordkeeping** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
- a. Annual inspection results and any corrective actions taken; and
  - b. Method(s) of waste solvent disposal.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent 5 years.

(9 VAC 5-80-110)

### **VII. Facility Wide Conditions**

#### **A. Testing**

45. **Facility Wide Conditions - Testing** - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.  
(9 VAC 5-50-30 and 9 VAC 5-80-110)
46. **Facility Wide Conditions - Testing** - If further testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ. Samples taken as required by this permit, or otherwise, shall be analyzed in accordance with 1 VAC 30-45, Certification for Noncommercial Environmental Laboratories, or 1 VAC 30-46, Accreditation for Commercial Environmental Laboratories.  
(9 VAC 5-80-110)



## VIII. Insignificant Emission Units

47. **Insignificant Emission Units** - The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9VAC5-80-720 C)
5	Caterpillar diesel compressor	9 VAC 5-80-720 B	PM10, PM, VOC, SO2, NOx, CO, HAPs	-
6	Caterpillar diesel compressor	9 VAC 5-80-720 B	PM10, PM, VOC, SO2, NOx, CO, HAPs	-
11	Enclosed bead blaster in outside machine shop	9 VAC 5-80-720 B	PM10	-
12	Enclosed bead blaster in boiler shop	9 VAC 5-80-720 B	PM10	-
13	Enclosed bead blaster in compressor / fire pump maintenance area	9 VAC 5-80-720 B	PM10	-
14	Enclosed bead blaster inside machine shop	9 VAC 5-80-720 B	PM10	-
15	Enclosed bead blaster in electric shop	9 VAC 5-80-720 B	PM10	-
16	Air conditioner maintenance	9 VAC 5-80-720 B	VOC	-
29	Detroit Diesel 253 emergency generator	9 VAC 5-80-720 C	-	55 HP
31	Wet Slip Detroit diesel 671 fire pump	9 VAC 5-80-720 C	-	235 HP
32	Finger pier Cummins Diesel 903 fire pump	9 VAC 5-80-720 C	-	240 HP
66	Electroplating in electric shop	9 VAC 5-80-720 B	PM10, inorganic HAPs	-
68	Woodworking operations in carpenter shop	9 VAC 5-80-720 B	PM10	-
69	Paint Mixing in paint shop	9 VAC 5-80-720 B	VOCs, VOHAPs	-
71	Maintenance shop touch-up painting (90% hand-applied; 10% airless spray)	9 VAC 5-80-720 B	VOCs, VOHAPs	-
72	Covered Metro 88 degreasers (2) in tool room (contains no solvents)	9 VAC 5-80-720 B	None	-
73	Spray can degreasers, cleaners, etc. in maintenance shop	9 VAC 5-80-720 B	VOCs, VOHAPs	-
74	Spray can degreasers, cleaners, etc. in outside machine shop	9 VAC 5-80-720 B	VOCs, VOHAPs	-
75	Spray can degreasers, cleaners, etc. in boiler shop	9 VAC 5-80-720 B	VOCs, VOHAPs	-
76	Spray can degreasers, cleaners, etc. in inside machine shop	9 VAC 5-80-720 B	VOCs, VOHAPs	-
77	Spray can degreasers, cleaners, etc. in electric shop	9 VAC 5-80-720 A	VOCs, VOHAPs	-
81a	Waste oil storage tank in hazardous waste storage building next to OWTS #1	9 VAC 5-80-720 B	VOCs, VOHAPs	-

Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9VAC5-80-720 C)
81b	Waste oil storage tank located next to OWTS #1	9 VAC 5-80-720 B	VOCs, VOHAPs	-
81c	Waste oil storage tank located next to OWTS#2	9 VAC 5-80-720 B	VOCs, VOHAPs	-
82	Propane storage is on the south side of OWTS #2 and welding gas storage is on the north side of OWTS #2	9 VAC 5-80-720 B	VOCs	-
83a	Underground gasoline storage tank near OWTS #2 and gasoline loading pumps	9 VAC 5-80-720 B	VOCs, VOHAPs	-
83b	Underground diesel storage tank near OWTS #2 and diesel loading pumps	9 VAC 5-80-720 B	VOCs, VOHAPs	-
89a	Underground #2 oil storage tank near boiler room	9 VAC 5-80-720 B	VOCs, VOHAPs	-
89b	Underground #2 oil storage tank near boiler room	9 VAC 5-80-720 B	VOCs, VOHAPs	-
93a	OWTS #1 - Oil/water separator and treatment system including processing tanks	9 VAC 5-80-720 B	VOCs, VOHAPs	-
93b	OWTS #2 - Oil/water separator and treatment system including processing tanks	9 VAC 5-80-720 B	VOCs, VOHAPs	-

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

## IX. Permit Shield & Inapplicable Requirements

48. **Permit Shield & Inapplicable Requirements** - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 60 Subpart Dc	Standards of Performance for small industrial-commercial-institutional generating units	Boilers installed prior to 6/9/1989
40 CFR 60 Subpart IIII	Standards of Performance for Reciprocating Internal Combustion Engines (RICE)	Generators were manufactured prior to the 2006 applicability date.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by

- (i) the administrator pursuant to §114 of the federal Clean Air Act,
  - (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law, or
  - (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
- (9 VAC 5-80-140)

## X. General Conditions

49. **General Conditions - Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.  
(9 VAC 5-80-110 N)
50. **General Conditions - Permit Expiration** - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.
- a. **General Conditions - Permit Expiration** - The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
  - b. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
  - c. **General Conditions - Permit Expiration** - No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
  - d. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
  - e. **General Conditions - Permit Expiration** - The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
51. **General Conditions - Recordkeeping and Reporting** - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
- a. The date, place as defined in the permit, and time of sampling or measurements;
  - b. The date(s) analyses were performed;
  - c. The company or entity that performed the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of such analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.  
(9 VAC 5-80-110 F)

52. **General Conditions -Recordkeeping and Reporting** - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.  
(9 VAC 5-80-110 F)
53. **General Conditions -Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
  - b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
    - i. Exceedance of emissions limitations or operational restrictions;
    - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
    - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
  - c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."
- (9 VAC 5-80-110 F)
54. **General Conditions - Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- a. The time period included in the certification. The time period to be addressed is January 1 to December 31.
  - b. The identification of each term or condition of the permit that is the basis of the certification.
  - c. The compliance status.
  - d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
  - e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
  - f. Such other facts as the permit may require to determine the compliance status of the source.

- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

[R3\\_APD\\_Permits@epa.gov](mailto:R3_APD_Permits@epa.gov)

(9 VAC 5-80-110 K.5)

55. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Director, TRO Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition 76 of this permit.  
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)
56. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, TRO Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, TRO Regional Office.  
(9 VAC 5-20-180 C)
57. **General Conditions - Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.  
(9 VAC 5-80-110 G.1)
58. **General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.  
(9 VAC 5-80-110 G.2)
59. **General Conditions - Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.  
(9 VAC 5-80-110 G.3)
60. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.  
(9 VAC 5-80-190 and 9 VAC 5-80-260)

61. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)
62. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
63. **General Conditions - Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110 K.1)
64. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.  
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)
65. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:
  - a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
  - b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
  - c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
  - d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
  - e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.  
(9 VAC 5-50-90)

66. **General Conditions - Startup, Shutdown, and Malfunction** - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.  
(9 VAC 5-50-20 E and 9 VAC 5-40-20 E)
67. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.  
(9 VAC 5-80-110 J)
68. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:
- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
  - b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
  - d. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.
- (9 VAC 5-80-110 K.2)
69. **General Conditions - Reopening For Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F. The conditions for reopening a permit are as follows:
- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
  - b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
  - c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.
- (9 VAC 5-80-110 L)



70. **General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.  
(9 VAC 5-80-150 E)
71. **General Conditions - Transfer of Permits** - No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.  
(9 VAC 5-80-160)
72. **General Conditions - Transfer of Permits** - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)
73. **General Conditions - Transfer of Permits** - In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)
74. **General Conditions - Malfunction as an Affirmative Defense** - A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of Condition 101 are met.  
(9 VAC 5-80-250)
75. **General Conditions - Malfunction as an Affirmative Defense** - The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
- a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
  - b. The permitted facility was at the time being properly operated.
  - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
  - d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.  
(9 VAC 5-80-250)
76. **General Conditions - Malfunction as an Affirmative Defense** - In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.  
(9 VAC 5-80-250)
77. **General Conditions - Malfunction as an Affirmative Defense** - The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.  
(9 VAC 5-80-250)

78. **General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.  
(9 VAC 5-80-190 C and 9 VAC 5-80-260)
79. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.  
(9 VAC 5-80-80 E)
80. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.  
(40 CFR Part 82, Subparts A-F)
81. **General Conditions - Emissions Trading** - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
- a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
  - b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
  - c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.
- (9 VAC 5-80-110 I)

## **XI. State-Only Enforceable Requirements**

82. **State-Only Enforceable Requirements** - The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.
- Odor:
- a. 9 VAC 5-40-140 - Existing Source Standard for Odor
  - b. 9 VAC 5-50-140 - New and Modified Source Standard for Odorous Emissions
- (9 VAC 5-80-110 N and 9 VAC 5-80-300)